

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MARK SHANNON WHEELER, #139004,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06-CV-274-MHT
)	
BILL SEGREST,)	
)	
Defendant.)	

ORDER ON MOTION

On August 9, 2006, the Clerk erroneously docketed a motion for order of declaratory judgment submitted by the plaintiff. In this motion, the plaintiff requests that the court enter judgment against the defendant. This motion is therefore not properly before the court as the plaintiff submitted the motion without requisite permission of the court. *Order of April 21, 2006 - Court Doc. No. 4* at 2 (“No . . . dispositive motions . . . [may] be filed by any party without permission of the court.”). The aforementioned order further directed that “[i]f any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court [without permission having been granted], the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.” *Id.* Accordingly, it is

ORDERED that the motion for order of declaratory judgment entered on the docket on August 9, 2006 be stricken from the docket for non-compliance with the orders of this

court.

Done this 14th day of August, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE